

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

STEVEN MENDOZA,

Plaintiff,

v.

THOMAS DART, et al.,

Defendants.

No. 20 C 670

Judge Elaine E. Bucklo

Magistrate Judge Heather K. McShain

**DEFENDANT COOK COUNTY'S MOTION FOR
EXTENSION OF TIME TO FILE RESPONSE TO
PLAINTIFF'S MOTION TO COMPEL (DKT. 70)**

Date: August 12, 2021

Respectfully submitted,

KIMBERLY M. FOXX

State's Attorney of Cook County

/s/ Miguel E. Larios

Miguel E. Larios

Assistant State's Attorney

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Cook County State's Attorney's Office

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Counsel for Defendant Cook County

Defendant Cook County (“Cook County”), by its attorney, Kimberly M. Foxx, State’s Attorney of Cook County, through her assistant, Miguel E. Larios, and for its Motion for Extension of Time to File Response to Plaintiff’s Motion to Compel Discovery (dkt. 70), up to and including August 30, 2021, Cook County states as follows:

1. On August 1, 2021, Plaintiff filed a motion to compel against Cook County (dkt. 70), seeking: (1) an updated and verified interrogatory response; (2) a designated Rule 30(b)(6) deponent, and (3) documents relating to the ADA renovations at the 111th Street Courthouse. (Dkt. 70).

2. Cook County requires additional time to produce a response (which may moot Plaintiff’s motion altogether) for the following reasons:

- a. While Cook County believes that it has located the few remaining responsive documents within the Department of Capital Planning and Policy (“Capital Planning”), there are not easily obtainable and require additional time to procure and produce. Also, responsive documents generated prior to 2020 (which would be sought here) would not be in electronic form.
- b. Additionally, the entire Bureau of Asset Management, of which Capital Planning is a part, is in the process of relocating to another floor within 69 West Washington Street. This move was originally scheduled for April 2021 but has been delayed multiple times due to delivery shortages and construction issues. In the interim,

Capital Planning's documents are all packed up in boxes.

- c. Moreover, due to the ongoing global pandemic, nearly all of the County workers involved in the work described herein are working remotely. This has made it much more difficult to locate and obtain relevant documents in a timely manner, and to certify that no other responsive documents exist.

3. Cook County believes that the responsive documents can be located and produced by August 30, 2021, but it requires additional time in light of the events described above. Additionally, Cook County believes that it will be able to supplement the final interrogatory response within that same timeframe.

4. With regards to Plaintiff's request for a Rule 30(b)(6) designee, Cook County believes that it can either respond to Plaintiff's topics as an interrogatory or provide a designee.

5. To the extent that Plaintiff and Cook County are unable to resolve their remaining discovery dispute by August 30, 2021, Cook County will be able to provide a more fulsome response if this extension is granted.

6. This motion is brought in good faith and not for any improper purpose. This is Cook County's first motion for extension of time to file a response to Plaintiff's motion to compel.

7. On August 12, 2021, Cook County sent a draft of this motion to Plaintiff's counsel who later indicated on a telephone call that he was not in agreement with the proposed motion.

8. Therefore, Cook County respectfully requests that this Court grant it an extension of time, up to and including August 30, 2021, to file its response to Plaintiff's motion to compel (dkt. 70).

WHEREFORE, Defendant Cook County prays that this Court enter an order granting it an extension of time, up to and including August 30, 2021, to file its Response to Plaintiff's motion to compel (dkt. 70), and grant such further relief this Court deems necessary.

Dated: August 12, 2021

Respectfully submitted,

KIMBERLY M. FOXX

State's Attorney of Cook County

By: /s/ Miguel E. Larios
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Counsel for Cook County

CERTIFICATE OF SERVICE

The undersigned certifies that on August 12, 2021, he electronically filed the foregoing document with the Clerk of the Court for Northern District of Illinois, using the electronic case filing system of the Court. The electronic case filing system sent notice to the attorneys of record in this case.

/s/ Miguel E. Larios